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D17  
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1. (Twice Amended) A method for forming a semiconductor device, comprising:

etching a first portion of a dielectric layer formed on a semiconductor topography with a first etch chemistry, wherein the first etch chemistry is substantially free of hydrogen and comprises  $C_4F_8$ ; and

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etching a second portion of the dielectric layer with a second etch chemistry different from the first etch chemistry, wherein the first and second etch chemistries are selective to silicon nitride.

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5. (Twice Amended) The method of claim 1, wherein the semiconductor topography comprises a gate structure formed on a semiconductor layer, and wherein a thickness of the second portion of the dielectric layer is greater than approximately one half of a height of the gate structure.

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15. (Amended) The method of claim 1, wherein the semiconductor topography comprises a gate structure formed on a semiconductor layer, wherein the semiconductor layer comprises isolation regions, and wherein the dielectric layer is in contact with a sidewall spacer of the gate structure and the semiconductor layer.

#### REMARKS

Claims 1, 5, and 15 have been amended. Claims 1-5 and 7-27 are currently pending in the case. Further examination and reconsideration of the presently claimed application is respectfully requested.

#### Section 112, 2nd Paragraph, Rejections:

Claims 5 and 15-16 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 5 and 15 have been amended. These amendments are believed to clarify the claim language in a manner that addresses the concerns about those claims expressed in the Office Action.